

**APPENDIX E: REGULATORY LETTERS REGARDING INCIDENTAL TAKE OF
THREATENED AND ENDANGERED SPECIES**

DEPARTMENT OF FISH AND GAME

Eastern Sierra and Inland Deserts Region 6
4775 Bird Farm Road
Chino Hills CA 91709
(909) 597-5043



September 10, 2002

Ms. Teresa Newkirk Gonzales
Senior Environmental Scientist
California Regional Water Quality Control Board
73-720 Fred Waring Drive, Suite 100
Palm Desert, California 92260

Dear Ms Gonzales,

The purpose of this letter is to indicate our concurrence with your plans for water quality monitoring for Coachella Valley pathogen total maximum daily load. The water quality monitoring activities will have little impact on threatened and endangered species if the following mitigation measures are followed:

- A) Avoid taking grab samples near stream bank vegetation.
- B) Cast Shadows over the water prior to sampling to alert any desert pupfish to hide in steam bank vegetation.
- C) Use a sampling device fitted with a mesh strainer to keep out desert pupfish if the species is being captured in samples.
- D) Avoid physical disturbance of cattail vegetation, habitat for Yuma clapper rail and California black rails.
- E) Document and report to the California Department of Fish and Game the locations of any sightings or indications of desert pupfish, Yuma clapper rail and California black rail.

Sincerely,

A handwritten signature in black ink, appearing to read "Eddy S. Konno".

Eddy S. Konno
Associate Wildlife Biologist
Region 6

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REGION 7



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
2730 Loker Avenue West
Carlsbad, California 92008



In Reply Refer To: FWS-IMP-TA-2404.2

JUL 1 - 2002

Ms. Teresa Newkirk Gonzales
California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, California 92260

Subject: Water Quality Monitoring Activities on the Coachella Valley Storm Channel

Dear Ms. Newkirk Gonzales:

The Fish and Wildlife Service has reviewed your proposed water quality monitoring activities in the Coachella Valley Storm Channel system. Some of these areas are occupied by the endangered desert pupfish (*Cyprinodon macularius*) and/or the endangered Yuma clapper rail (*Rallus longirostris yumanensis*). Given the nature of the sampling activities and the precautions being taken to avoid impacts, we concur with your conclusion that the potential for impact is very low. Based on the description and schedule of the monitoring activities provided in your letter, it is our determination that no permit under the Endangered Species Act of 1973 (as amended) will be required for this activity. Should the nature of the activity change such that the likelihood of impacts increase, we request that you contact our office so that we may work with you in determining the permitting requirements and how to minimize the potential for impacts. If you have any questions, please contact Carol Roberts of my staff at (760) 431-9440.

Sincerely,

Pete Sorensen
Acting Assistant Field Supervisor

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